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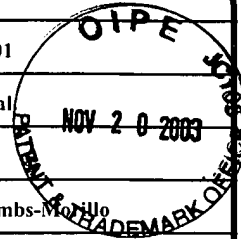
# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOV 28 2003

TG 1700

Application Number	09/876,233
Filing Date	June 8, 2001
First Named Inventor	HEINZ et al
Art Unit	1742
Examiner Name	Janelle Combs-Morillo
Attorney Docket Number	APV30268C



**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_

## b. ☒ Enclosed

- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Petition for Three Months Extension of Time

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit payments, to:
- Deposit Account No. 19-4375
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 1828.00 enclosed STEVEN DAVIS MILLER & MOSHER, L.L.P.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

THE APPLICANT HEREBY REQUESTS THAT THE PTO TO EXTEND THE TIME FOR RESPONSE AS REQUIRED TO MAKE THE ATTACHED DOCUMENT TIMELY FILED. PLEASE CHARGE THE COST THEREOF TO DEPOSIT ACCOUNT 19-4375

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Anthony P. Venturino

Registration No. (Attorney / Agent)

31,674

Signature

Date

November 20, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)

Signature

Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>APV30268C</b>	
Applicant(s): <b>Alfred Ludwig HEINZ et al.</b>					
Serial No. <b>09/876,233</b>	Filing Date <b>June 8, 2001</b>	Examiner <b>J. Combs-Morillo</b>		Group Art Unit <b>1742</b>	
Invention: <b>DAMAGE TOLERANT ALUMNIUM ALLOY PRODUCT AND METHOD OF ITS MANUFACTURE</b>					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	47 -	41 =	6 x	\$18.00	\$108.00
INDEP. CLAIMS	4 -	4 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$108.00</b>

☐ No additional fee is required for amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_

☒ A check in the amount of **\$1,828.00** to cover the filing fee is enclosed.

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-4375**


☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

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**TC 1700**



**Anthony P. Venturino** Reg. 31,674  
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1615 L Street N.W., Suite 850  
Washington, D.C. 20036  
Tel: 202-785-0100  
Fax: 202-408-5200

Dated: **November 20, 2003**

**THE APPLICANT HEREWITH PETITIONS  
THE PTO TO EXTEND THE TIME FOR  
RESPONSE AS REQUIRED TO MAKE THE  
ATTACHED DOCUMENT TIMELY FILED.  
PLEASE CHARGE THE COST THEREOF  
TO DEPOSIT ACCOUNT 19-4375**

**STEVEN DAVIS MILLER & MOSHER, L.L.P.**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

\_\_\_\_\_  
Signature of Person Mailing Correspondence

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Correspondence

CC: